

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE ANDREW REED,

Plaintiff,

No. CIV S-04-0936 LKK GGH P

vs.

S. HAFERKAMP, et al.,

Defendants.

ORDER

Plaintiff has filed two separate requests for appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required exceptional circumstances. Plaintiff's request for the appointment of counsel will therefore be denied.

In the motion for appointment of counsel, plaintiff also requests that the court reserve him with the scheduling order. Good cause appearing, the court will direct the Clerk to reserve plaintiff with this document. Plaintiff is informed that all further requests for copies of

1 court documents may be made to Attorney's Diversified Services (ADS): 1424 21st Street,
2 Sacramento, CA 95814. Their phone number is 916-441-4396. The court will provide copies of
3 the docket sheet at \$0.50 per page. Checks in the exact amount are made payable to "Clerk,
4 USDC." Please Note: In Forma Pauperis status does not include the cost of copies.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiff's May 15, 2006, and June 7, 2006, motions for the appointment of
7 counsel are denied;

8 2. The Clerk of the Court is directed to re-serve plaintiff with a copy of the
9 scheduling order filed January 20, 2006.

10 DATED: 6/20/06

/s/ Gregory G. Hollows

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12 GREGORY G. HOLLOWS
13 UNITED STATES MAGISTRATE JUDGE

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